

Amendment No. 1 to SB0250

Beavers
Signature of Sponsor

AMEND Senate Bill No. 250

House Bill No. 182*

by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 29, Chapter 34, is amended by adding the following as a new part:

29-34-401.

For purposes of this part:

(1) "Ice-skating rink" means a facility that is designed for ice-skating and that is used by the public for recreational or competitive ice-skating;

(2) "Operator" mean a person who owns, controls, or has operational responsibility for an ice-skating facility, or the agent of that person; and

(3) "Spectator" means an individual who is present at an ice-skating rink to observe ice-skating.

29-34-402.

(a) An operator shall not be liable for damage or injuries to an ice-skater or spectator where the operator complies with the requirements of § 29-34-403.

(b) A person who participates as an ice-skater at an ice-skating rink operated in accordance with the requirements of § 29-34-403 assumes the risk of injury or damage that may occur as a result of that participation and shall comply with the requirements of § 29-34-404.

(c) A spectator at an ice-skating rink operated in accordance with the requirements of § 29-34-403 assumes the risk of injury or damage that may occur as a result of being a spectator and shall comply with the requirements of § 29-34-404.

29-34-403.

(a) An operator shall:

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(1) Provide at least one (1) individual to act as a rink monitor for approximately every two hundred (200) skaters at any given time that ice-skating is open to the public;

(2) Conduct periodic inspections of the ice, skating equipment and all other equipment in a manner that will ensure a safe operating condition;

(3) Comply with all guidelines for ice-skating rinks endorsed or recommended by the Ice Skating Institute;

(4) Post duties and expectations of skaters and spectators as prescribed by this chapter in conspicuous places;

(5) Maintain liability insurance coverage of at least one million dollars (\$1,000,000) per single limit for personal-injury death or property damage; and

(6) Maintain accurate records and daily logs for the ice-skating facility.

(b) The rink monitor shall:

(1) Wear appropriate attire as to identify the individual as a rink monitor;

(2) Direct and supervise skaters and spectators;

(3) Watch for and remove in a timely manner any foreign objects that may have fallen off the ice surface; and

(4) Inspect and maintain, or request maintenance of, the ice surface, floors, railings, boards, and walls surrounding the surface in a manner that will ensure the good condition of those areas.

29-34-404.

(a) Skaters in an ice-skating rink shall:

(1) Comply with all posted signs and warnings that relate to the skater's behavior while participating in ice-skating at the ice skating rink;

(2) Obey all instructions or warnings given by the rink monitor, rink personnel or rink operator;

(3) Maintain reasonable control over skate speed and direction at all times;

(4) Be aware that there are other skaters and objects on the ice surface and take reasonable care to avoid collision with those skaters or objects; and

(5) Be aware that ability and skill levels of ice-skaters vary and each individual must take reasonable care to ice-skate within the individual's personal abilities.

(b) Ice-skaters shall not act in a manner that may cause injury or damage to others or their property.

(c) Spectators shall comply with each posted sign or warning that relates to the behavior of the spectator.

29-34-405.

(a) This part shall not limit the liability of one (1) ice-skater or spectator to another ice-skater or spectator.

(b) This part shall not apply where an operator engages in behavior that amounts to gross negligence, or willful or wanton conduct.

SECTION 2. This act shall take effect July 1, 2012, the public welfare requiring it.